

REMARKS

The Patent Office is thanked for the indication of allowable subject matter.

Claims 1-10, 12-17, 19-21, 24-28, and 30-62 are pending.

Claim 28 has been amended to incorporate the indicated as allowable subject matter of Claim 29. Claim 29 has been canceled. It is respectfully submitted that no new matter has been added.

The dependency of Claims 30 and 31 have been changed to reflect the cancellation of Claim 29.

New Claims 36-52 are supported by the specification, drawings, and/or original claims. New Claims 36, 37, 51, and 52 are supported by Figure 8. New Claims 38 and 53 are supported by Figure 11. New Claims 39-41 and 54-56 are supported by page 7, lines 6-9. New Claims 42 and 57 are supported by page 6, line 27 of the specification. New Claims 43 and 58 are supported by page 6, line 22, of the specification. New Claims 44 and 59 are supported by page 8, lines 19-23, of the specification. New Claim 45 represents the rewriting of indicated-as-allowable Claim 32 in independent form, including the limitations of Claim 28. New Claim 46 is supported by Claims 29 and 30. New Claim 47 is supported by Claim 31. New Claim 48 is supported by Claim 33. New Claim 49 is supported by Claim 34. New Claim 50 is supported by Claim 35. New Claim 60 is supported by page 6, lines 24-27, of the specification. New Claim 61 is supported by page 10, line 30, through page 11, line 8, of the specification. New Claim 62 is supported by Figure 13A.

It is respectfully submitted that no new matter has been added.

Information Disclosure Statement

In accordance with the duty of disclosure under 37 C.F.R. 1.56, copies of Information Disclosure Statements that were received by our office this month are being submitted.

We state that no item of information contained in the information disclosure statements were cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Claim Rejections 35 U.S.C. 102

Claims 28 and 35 were all rejected under 35 U.S.C. § 102(b) as being anticipated by Bunyea, U.S. Patent No. 4,871,629, and Bunyea, U.S. Patent No. 5,663,011.

Because the indicated-as-allowable subject matter of Claim 29 has been incorporated into Claim 28, it is respectfully submitted that Claims 28 and 30-35 are in condition for allowable and it is respectfully requested that the rejection of Claims 28 and 35 be withdrawn.

Thus, it is respectfully submitted that Claims 1-10, 12-17, 19-21, 24-28, and 30-62 are allowable over the prior art of record.

CONCLUSION

In light of the forgoing, reconsideration of the claims is hereby requested, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

28. (Amended) A cordless power tool comprising a battery, the power tool comprising:

- (a) a battery receiving portion, integral with the power tool;
- (b) an attachment portion, integral with the battery, that attaches to the battery portion; and
- (c) a closure member for securing the attachment portion to the battery receiving portion, the closure member having a push button on a first end and an opposing second end, wherein depressing the push button inward relative to the battery receiving portion permits the attachment portion to be released from the battery receiving portion.

wherein when the push button is depressed the second end of the closure member protrudes from the battery receiving portion.

30. (Amended) The power tool of claim ~~29~~ 28, wherein when the push button is not depressed, the second end of the closure member does not protrude from the battery receiving portion.

31. (Amended) The power tool of Claim ~~29~~ 28, wherein a locking finger is located proximate the second end of the closure member.